

**COMBINED DECLARATION AND  
POWER OF ATTORNEY FOR PATENT APPLICATION**

As below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below adjacent to our names.

We believe we are the original, first and sole inventors (if only one name is listed below) or the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled, "**In Vivo Induction for Enhanced Function of Isolated Hepatocytes**" the specification of which (check one):

is attached hereto

was filed as United States Patent Application Serial No. \_\_\_\_\_ on \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable)

was filed as PCT Patent Application Serial No. \_\_\_\_\_ on \_\_\_\_\_, and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by an amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, CFR § 1.56.

We hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) or § 365(b), of any foreign applications(s) for patent or inventor's certificate, or under § 365(a), of any PCT international applications(s) designating at least one country other than United States of America listed below and have also identified below any foreign applications(s) for patent or inventors' certificate or any PCT international application(s) designating at least one country other than the United States of America filed by us on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S)  
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119 (a) - (d) or 365(b), or 365(a)**

Country (if PCT, indicate PCT)	Application Number	Filing Date (mm/dd/yy)	Priority Claimed Under 35 U.S.C. §119 (yes/no)

EXPRESS MAIL LABEL NO. EV225204597US  
 DATE OF DEPOSIT 27 June 2003

EXPRESS MAIL LABEL NO. EV038244719 US  
 DATE OF DEPOSIT 12/21/2001

We hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed:

Application Number(s)	Filing Date (mm/dd/yy)	Priority Claimed Under 35 U.S.C. § 119
60/145,362	July 22, 1999	Yes

We hereby claim the benefit under Title 35, United States Code § 120 of any United States Application, or under § 365(c), any PCT International Application designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior applications(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PRIOR U.S. APPLICATION(S) OR PCT INTERNATIONAL APPLICATION(S) DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. § 120 or § 365(c)

Application Number(s)	Filing Date (mm/dd/yy)	Status: Patented, Pending, or Abandoned

**Power of Attorney.** As named inventors, we hereby appoint the following attorney(s) and/or agents associated with Hale and Dorf LLP, 60 State Street, Boston, Massachusetts 02109, Customer No. 23483, to prosecute the above-identified application and transact all business in the Patent and Trademark Office connected therewith:

Hollie L. Baker	Reg. No. 31,321
Keum J. Park	Reg. No. 42,059
Scott M. Alter	Reg. No. 32,879
Michael J. Bevilacqua	Reg. No. 31,091
David J. Cerveny	Reg. No. 44,600
Nancy Chiu, Ph.D.	Reg. No. 43,545
Michael A. Diener	Reg. No. 37,122
Peter M. Dichiara	Reg. No. 38,005
Gregory S. Discher	Reg. No. 42,488
Ira H. Donner	Reg. No. 35,120
Richard A. Goldenberg	Reg. No. 38,895
Edward D. Grieff	Reg. No. 38,898
Wayne M. Kennard	Reg. No. 30,271
Wayne A. Keown, Ph.D.	Reg. No. 33,923
Anne-Louise Kerner, Ph.D.	Reg. No. 33,523
Janice M. Klunder, Ph.D.	Reg. No. 41,121
James B. Lampert	Reg. No. 24,564
Ayla A. Lari	Reg. No. 43,739
Nels Lippert	Reg. No. 25,888
Dominic Massa	Reg. No. 44,905
Robert McIsaac	Reg. No. P 46,918
Jason A. Reyes	Reg. No. 41,513

Gretchen A. Rice, Ph.D.	Reg. No. 37,429
Donald R. Steinberg	Reg. No. 37,241
Colleen Superko	Reg. No. 39,850
C. Hall Swaim	Reg. No. 22,838
Rajesh Vallabh	Reg. No. 35,761
Henry N. Wixon	Reg. No. 32,073
Luke Yeh	Reg. No. 43,296

All correspondence should be sent to: [ ] Customer No. noted above or [ X ] Address below.

Hollie L. Baker, Esq.  
 HALE AND DORR LLP  
 60 State Street  
 Boston, MA 02109  
 Telephone No.: (617) 525-6519  
 Facsimile No.: (617) 526-5000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of first inventor: Susan J. Sullivan

Inventor's Signature Susan J. Sullivan Date 7-24-00

Citizenship: USA

Residence: 7 Lind Road, Newton, Massachusetts

Postal Address: (if different from residence) \_\_\_\_\_

\_\_\_\_\_

Full name of second inventor (if applicable): Paul G. Gregory

Inventor's Signature Paul G. Gregory Date 7-24-2000

Citizenship: USA

Residence: 14 Quail Hollow Drive, Shrewsbury, Massachusetts

Postal Address: (if different from residence): \_\_\_\_\_

\_\_\_\_\_

Full name of third inventor (if applicable): Paul A. DiMilla

Inventor's Signature Paul A. DiMilla Date 7/24/2000

Citizenship: USA

Residence: 66 Tisdale Drive, Dover Massachusetts

Postal Address: (if different from residence): \_\_\_\_\_



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

PTAS

HALE AND DORR LLP  
HOLLIE L. BAKER  
60 STATE STREET  
BOSTON, MA 02109

Chief Information Officer  
Washington, DC 20231



\*101943311A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS  
AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER  
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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/21/2001

REEL/FRAME: 012440/0601  
NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

**ASSIGNOR:**

SULLIVAN, SUSAN J.

DOC DATE: 11/14/2001

**ASSIGNOR:**

GREGORY, PAUL G.

DOC DATE: 11/14/2001

**ASSIGNOR:**

DIMILLA, PAUL A.

DOC DATE: 11/14/2001

**ASSIGNEE:**

ORGANOGENESIS INC.  
150 DAN ROAD  
CANTON, MASSACHUSETTS 02021

SERIAL NUMBER: 09621921  
PATENT NUMBER:

FILING DATE: 07/24/2000  
ISSUE DATE:

SERIAL NUMBER: 10036593  
PATENT NUMBER:

FILING DATE: 12/21/2001  
ISSUE DATE:

EXPRESS MAIL LABEL NO. EV225204597US  
DATE OF DEPOSIT 27 June 2003

**HALE & DORR DOCKETING**  
RE: 68603.SOT  
Action Date: \_\_\_\_\_  
Action to be Taken: \_\_\_\_\_  
Docketed by: (AD) On: 3/12/02

JEEVON JONES, EXAMINER  
ASSIGNMENT DIVISION  
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Chief Information Officer  
Washington, DC 20231  
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AUTHORIZATION TO CHARGE ADDITIONAL FEES TO DEPOSIT



\*101943311B\*

MARCH 05, 2002

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FROM: ASSIGNMENT DIVISION  
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SUBJECT: DEPOSIT ACCOUNT CHARGE(S)

CHARGE THE DEPOSIT ACCOUNT LISTED BELOW ADDITIONAL FEE(S) AS INDICATED BELOW. AUTHORIZATION TO CHARGE ADDITIONAL FEES HAS BEEN PROVIDED PER THE ATTACHED COVER SHEET, OR BY DIRECT CONTACT WITH THE CUSTOMER.

DEPOSIT ACCOUNT NUMBER: 060219  
PROPERTY NUMBER: 09621921

RECORDING FEES:

FEE CODE: 581 AMOUNT: 40

IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.

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RECORDING FIRST MARK	481
RECORDATION SECOND AND	482
SUBSEQUENT MARK IN SAME DOCUMENT	
LABOR CHARGES FOR SERVICES PER HOURS	484
OR FRACTION THEREOF	
UNSPECIFIED OTHER SERVICES	485

PATENT SERVICE FEES:

RECORDING EACH PATENT ASSIGNMENT, AGREEMENT, OTHER PAPER, PER PROPERTY	581
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LABOR CHARGES FOR SERVICES PER HOUR (\$30) OR FRACTION THEREOF	584
UNSPECIFIED OTHER SERVICES	585

01-14-2002



REF 101943311  
RECEIPT FORM COVER SHEET  
**PATENTS ONLY**

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

**Submission Type**

- New *12/21/01*  
 Resubmission (Non-Recordation)  
Document ID#   
 Correction of PTO Error  
Reel #  Frame #   
 Corrective Document  
Reel #  Frame #

**Conveyance Type**

- Assignment  Security Agreement  
 License  Change of Name  
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**U.S. Government**  
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 Departmental File  Secret File

J1046 U.S. PRO  
10/036593  
12/21/01

**Conveying Party(ies)**

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year  
11 14 01

Name (line 1) Susan J. Sullivan

Name (line 2)

**Second Party**

Execution Date  
Month Day Year  
11 14 01

Name (line 1) Paul G. Gregory

Name (line 2)

**Receiving Party**

Mark if additional names of receiving parties attached

Execution Date  
Month Day Year  
11 14 01

Name (line 1) Organogenesis Inc.

If document to be recorded  
is an assignment and the  
receiving party is not  
domiciled in the United  
States, an appointment  
of a domestic  
representative is attached.  
(Designation must be a  
separate document from  
Assignment.)

Name (line 2)

Address (line 1) 150 Dan Road

Address (line 2)

Address (line 3) Canton  Massachusetts  02021  
City State/Country Zip Code

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name Hollie L. Baker

Address (line 1) Hale and Dorr LLP

Address (line 2) 60 State Street

Address (line 3) Boston, MA 02109

Address (line 4) United States of America

01/14/2002 AHMED1 00000365 080219 10036593

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DATE OF DEPOSIT *12/21/2001*

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Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

**Correspondent Name and Address**

Area Code and Telephone Number **[617-526-6000]**

Name **Hollie L. Baker**

Address (line 1) **Hale and Dorr LLP**

Address (line 2) **60 State Street**

Address (line 3) **Boston, MA 02109**

Address (line 4) **United States of America**

**Pages**

Enter the total number of pages of the attached conveyance document  
including any attachments.

# **[4]**

**Application Number(s) or Patent Number(s)**

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

**Patent Application Number(s)**

**09/621,921**

**Patent Number(s)**

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month  Day  Year

**Patent Cooperation Treaty (PCT)**

Enter PCT application number

PCT

PCT

PCT

only if a U.S. Application Number **PCT**  **PCT**  **PCT**

has not been assigned.

**Number of Properties**

Enter the total number of properties involved.

# **[1]**

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41): \$ **[40.00]**

Method of Payment:

Deposit Account

Enclosed

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

# **[08-0219]**

Authorization to charge additional fees:

Yes

No

**Statement and Signature**

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.*

Hollie L. Baker

*Hollie L. Baker*

11-19-2001

Name of Person Signing

Signature

Date

RECORDATION FORM COVER SHEET  
CONTINUATION  
PATENTS ONLY

**Conveying Party(ies)**

Mark if additional names of conveying parties attached

*Enter additional Conveying Parties*

Name (line 1)  Paul A. DiMilla

Execution Date  
Month Day Year

11 14 01

Name (line 2)

Name (line 1)

Name (line 2)

Name (line 1)

Name (line 2)

U.S. PTO  
1046/036593  
10/15/2001

Execution Date  
Month Day Year

Execution Date  
Month Day Year

Execution Date  
Month Day Year

**Receiving Party(ies)**

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*Enter additional Receiving Party(ies)*

Name (line 1)

If document to be recorded  
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Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

Name (line 1)

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domestic representative is  
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be a separate document from  
Assignment.)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

**Application Number(s) or Patent Number(s)**

Mark if additional numbers attached

*Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).*

**Patent Application Number(s)**

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**Patent Number(s)**

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ASSIGNMENT

WHEREAS, we, Susan J. Sullivan, a citizen of the United States and residing at 7 Lind Road, Newton, Massachusetts 02465, Paul G. Gregory, a citizen of the United States and residing at 14 Quail Hollow Drive, Shrewsbury, Massachusetts 01545, and Paul A. DiMilla, a citizen of the United States and residing at 66 Tisdale Drive, Dover, Massachusetts 02030 are the inventors of a certain new and useful invention and discovery, for which we have made an application for a United States Patent entitled "**IN VIVO INDUCTION FOR ENHANCED FUNCTION OF ISOLATED HEPATOCYTES**" also identified as Attorney Docket Number 68603.507, the specification of which was filed with the United States Patent and Trademark Office on July 24, 2000, and has been assigned Serial Number 09/621,921.

WHEREAS, Organogenesis Inc., whose address is 150 Dan Road, Canton, Massachusetts 02021, which, together with its successors and assigns is hereinafter called "**ASSIGNEE**," is desirous of acquiring the title, rights, benefits, and privileges hereinafter recited.

NOW, THEREFORE, for and in consideration of our employment by ASSIGNEE and other valuable consideration furnished by ASSIGNEE to us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservations:

1. Assign, transfer, and convey to ASSIGNEE the entire right, title, and interest in and to said inventions and discoveries, said United States Patent Application, any and all other applications for Letters Patent(s) on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, continuation-in-part, reexamination and convention applications based in whole, or in part, upon said inventions or discoveries, or upon said United States Patent Application, and any and all Letters Patent(s), reissues, and extensions of Letters Patent(s) granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon, or arise from, said inventions, said discoveries, said applications, and said Letters Patent(s);
2. Authorize ASSIGNEE to file patent applications in any or all countries on any or all of said inventions and discoveries in our names or in the name of ASSIGNEE or otherwise as ASSIGNEE may deem

advisable, under International Conventions or otherwise;

3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments throughout the world to issue or transfer all said Letters Patent(s) to ASSIGNEE, as assignee of the entire right, title, and interest therein or otherwise as ASSIGNEE may direct;

4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents, or any license to use the same, or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to ASSIGNEE without encumbrance;

5. Bind our heirs, legal representatives, and assigns, as well as ourselves, to do, upon ASSIGNEE's request and at ASSIGNEE's expense, but without additional consideration to either us or them, all acts reasonably serving to assure that said inventions and discoveries, said patent applications, and said Letters Patent(s) shall be held and enjoyed by ASSIGNEE as fully and entirely as the same could have been held and enjoyed by us, our heirs, legal representatives, and assigns if this Assignment had not been made; and particularly to execute and deliver to ASSIGNEE all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by ASSIGNEE; and to communicate to ASSIGNEE all facts known to us relating to said inventions and discoveries or the history thereof, and to testify as to the same in any court or proceeding; and to furnish ASSIGNEE any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of our heirs, legal representatives, or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 14<sup>th</sup> day of November  
2001.

Susan J. Sullivan  
Susan J. Sullivan

On this 14<sup>th</sup> day of November, 2001, before me personally came the above-named Susan J. Sullivan to me personally known and known to me to be the same individual who executed the foregoing assignment, and who acknowledged to me that execution of the same was of his own free will for the use and purposes therein set forth.

WITNESS:

Ralph M. Mann

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 14<sup>th</sup> day of November  
2001.

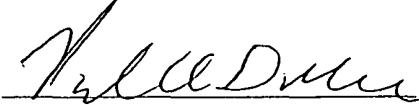
Paul G. Gregory  
Paul G. Gregory

On this 14<sup>th</sup> day of November, 2001, before me personally came the above-named Paul G. Gregory to me personally known and known to me to be the same individual who executed the foregoing assignment, and who acknowledged to me that execution of the same was of his own free will for the use and purposes therein set forth.

WITNESS:

Edwin Mann

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 14<sup>th</sup> day of November  
2001.



Paul A. DiMilla

On this 14<sup>th</sup> day of November, 2001, before me personally came the above-named Paul A. DiMilla to me personally known and known to me to be the same individual who executed the foregoing assignment, and who acknowledged to me that execution of the same was of his own free will for the use and purposes therein set forth.

WITNESS:

